

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

310 U.S. COURTHOUSE
517 E. WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202

Chambers of
Rudolph T. Randa
Chief Judge

TEL: 414-297-3071
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July 7, 2009

Ms. Michelle M. Drake
Greensfelder Hemker & Gale
2000 Equitable Building
10 South Broadway - Suite 2000
St Louis, Missouri 63102

Mr. Bruce C. O'Neill
Fox O'Neill & Shannon
622 North Water Street - Suite 500
Milwaukee, Wisconsin 53202-4909

Re: BP Products North America, Inc. v. Bulk Petroleum Corporation
Case No. 07-C-1085 consolidated with
Bulk Petroleum Corporation v. BP Products North America, Inc.
Case No. 07-C-1090

Dear Counsel:

As you are aware, the parties filed a Joint Certification of Counsel Regarding Mediation ("Joint Certification") on March 27, 2009, wherein it indicates the parties participated in mediation with the Honorable Patrick Snyder in Milwaukee, Wisconsin, on February 11, 2009. The parties reached a settlement and executed a Memorandum of Settlement with the intent of formalizing the agreement in a more detailed document.

However, the Joint Certification also indicates that before the settlement was finalized Bulk Petroleum Corporation and Bulk Petroleum Kentucky Properties filed petitions for Chapter 11 relief under the U.S. Bankruptcy Code. After the petitions were filed the parties continued to negotiate a formal Settlement Agreement and Release and believed the agreement would be executed. Fifteen days after approval of the settlement by the U.S. Bankruptcy Court, the parties would then submit a Stipulation of Dismissal With Prejudice to this Court.

Three months have passed since the filing of the Joint Certification and a Stipulation and Order for Dismissal has not been forwarded to the Court. Please advise Judge Randa of the status of this case within 20 days of the date of this letter. Thank you.

Sincerely,

s/ Linda M. Zik
Linda M. Zik
Courtroom Deputy Clerk to the
Chief Judge Rudolph T. Randa

cc: Attorney Paul Bargren